

**REMARKS**

Claims 1-16 are pending. The indication of allowable subject matter with respect to claims 9, 11, 14 and 16 is appreciated.

**A. Claims 1, 3 and 4 were rejected under 35 U.S.C. §102(e) as being anticipated by Kim (US 6,912,351). The applicant respectfully traverses this rejection for the following reason(s).**

**Claim 1**

Claim 1 calls for, in part, *a multiplexer allotting identification information to each of the picture signals received from the cameras, said identification information being represented by a predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras, said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding picture signal.*

Here, the Examiner refers us to Kim's multiplexer 130, step S12 and the camera ID code of Fig. 6. However, none of the foregoing, and nowhere in Kim is it disclosed, that the *identification information* (camera ID code) has a *predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras*. Additionally, none of the foregoing, and nowhere in Kim is it disclosed, that the *identification information* (camera ID code) is comprised of a *plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding*

*picture signal.*

"There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." *Scripps clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ2d 1001, 18 USPQ2d 1896 (Fed. Cir. 1991).

The Examiner has incorrectly noted that Kim's camera ID code has three bits, 001. Looking to Fig. 6, we can see that the camera ID code has four bits, and in Fig. 2 we see that there are n cameras connected to multiplexer 80. Thus, it appears that the camera ID codes can range from 0001 to 1111, thereby limiting the number of cameras to 15.

If Kim satisfied the limitation that the *identification information* (camera ID code) has a *predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras*, there would be disclosure that Kim has a limit of 7 cameras, or that the camera ID code could comprise at least 5 bits and limit the number of cameras to 15, since the binary value 11110 would correspond to the decimal value 30, twice the number of cameras. However, we find no such disclosure in Kim.

Even if Kim had made such a disclosure, it would fail to meet the limitation that there be *a plurality of proper identification bits and a corresponding plurality of auxiliary bits*. That is, for 15 cameras one would need the 4 bits of Kim's disclosure to correspond to the *plurality of proper identification bits*, and would also need 4 auxiliary bits (a total of 8 bits) to meet the claim. We find no such disclosure in Kim.

Looking to the rejection, we find that the Examiner has indicated that the camera ID code has been deemed to correspond to the claimed *plurality of proper identification bits*, and that the I-

picture address has been deemed to correspond to the claimed *auxiliary bits*.

As can be seen in Kim's Fig. 6, there are 4 (not 3) bits making up the camera ID codes identifying the cameras 1~n, and there are 8 bits making up the I-picture addresses.

**If** one were to hold that the I-picture addresses corresponded to the Applicant's claimed *auxiliary bits*, then there would only be 4 bits for the I-picture addresses or there would be 8 bits available for the camera ID codes. Neither option is disclosed in Kim. Thus Kim fails to anticipate the claimed features requiring the identification information to comprise a **plurality** of proper identification bits and a **corresponding plurality** of auxiliary bits.

Accordingly, Kim does not anticipate claim 1 because Kim fails to disclose:

- *a number of available identifications is twice or more than the number of the cameras; and*
- *said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits*

### **Claim 3**

Claim 3 calls for the picture signal storage medium to comprise *a single video tape in a single video tape recorder*.

Here, the Examiner refers us to Kim's disclosure in col. 1 of a "conventional Time Lapse Video Cassette Recorder (Time Lapse VCR) records and reproduces video signals on and from magnetic tapes."

However, Kim also discloses in col. 1, lines 57-67, that there is a problem with such conventional Time Lapse VCRs, wherein the considerable use and wear of the deck and drum of the

conventional Time Lapse VCR, cause the drum and deck to be replaced frequently, and the magnetic tape on which the image signals are recorded and reproduced deteriorates quickly due to the friction against the heads of the VCR, thereby affecting the quality of image being displayed by the conventional Time Lapse VCR and the life span of the VCR.

Accordingly, Kim teaches away from using a *single video tape in a single video tape recorder*, and instead uses other recording mediums, such as an optical disk. See col. 2, lines 58-61. This teaching away from the invention is an important indication of non-obviousness as well as a lack of anticipation. See, e.g. *Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc. Inc.*, 796 F.2d 443, 230 USPQ 416 (Fed. Cir. 1986).

Accordingly, claims 1, 3 and 4 are not anticipated by Kim, and the rejections should be withdrawn. Note that in order for an anticipation rejection to be proper, the anticipating reference must disclose exactly what is claimed. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Note here that the Examiner has not relied on "inherency," accordingly, each and every element must be expressly described in Kim.

**B. Claims 2, 5 and 6 were rejected under 35 U.S.C. §103(a), as rendered obvious and unpatentable, over Kim.** The Applicant respectfully traverses this rejection for the following reason(s).

Claims 2, 5 and 6 depend from claim 1 and are deemed to be patentable over Kim for the same reason's as claim 1.

**C. Claims 1-8, 12 and 13 were rejected under 35 U.S.C. §103(a), as rendered obvious and unpatentable, over Tsugane et al. (US 4,961,211) in view of Cooper et al. (US 5,870,139).** The Applicant respectfully traverses this rejection for the following reason(s).

**Claim 1**

Claim 1 calls for, in part, *a multiplexer allotting identification information to each of the picture signals received from the cameras, said identification information being represented by a predetermined number of bits so that a number of available identifications is twice or more than the number of the cameras, said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits, characterized in that the proper identification bits identify which camera generated a corresponding picture signal.*

With respect to the foregoing feature of claim 1, the Examiner relies on the teachings of Tsugane et al. (*hereafter*: Tsugane) and refers us to Cooper et al. (*hereafter*: Cooper) with respect to the feature of *a picture signal storage medium for storing the picture signals and allotted*

*identification information output from the multiplexer.*

Tsugane discloses a television conference system that includes, at a transmitting side, a plurality of TV cameras assigned with camera ID codes, and at a receiving side, a plurality of TV monitors assigned with monitor ID codes and a plurality of frame memories, each corresponding to particular ones of the TV monitors, for storing inputs to their corresponding TV monitors.

Tsugane discloses that each TV camera can be selected by a corresponding camera ID number, and that a moving picture signal output from a TV camera is encoded. The encoded moving picture signal is then transmitted together with a monitor ID code of a TV monitor designated to display an output from the selected TV camera to the receiving side.

Accordingly, the *identification bits* Kim's monitor ID signal IDM consisting of a 2-bit binary code) *identify* which monitor is to display a generated picture signal, they do not identify which camera generated the picture signal.

Accordingly, the rejection is deemed to be in error and should be withdrawn.

Tsugane discloses *a multiplexer*<sup>104</sup> *allotting identification information to each of the picture signals (DI) received from the cameras.* The *identification information*, as shown in Fig. 1 comprises a monitor ID signal IDM, which is disclosed as consisting of a 2-bit binary code.

Contrary to the Examiner's conclusion, the monitor ID signal IDM is not the same as the camera ID signal IDC.

It is required by claim 1 that the *identification information* be represented by a *predetermined number of bits so that a number of available identifications is twice or more than the number of the*

*cameras*. Here the Examiner notes that the monitor ID signal IDM consisting of a 2-bit binary code (which is all that is needed since there are only 4 monitors 31-35). However, the Examiner also refers to the signal DV which has 14 bits in an apparent attempt to suggest that the IDM bits and the DV bits form the *available identifications*. This attempt is without merit.

The 14 bits of signal DV are digital data corresponding to voice, i.e., digital voice information. That is, Kim discloses that controller 9 outputs a voice signal DV which is one of the output signals A<sub>1</sub> from the microphones 1 to 4 and represents the speaker as the third input of the multiplexer 104 through an A/D converter 103.

Accordingly, the voice signal DV is voice information, not *identification information* and one of ordinary skill in the art having no knowledge of the Applicant's invention would not have considered the voice signal DV to represent *identification information*.

Therefore, the rejection is deemed to be in error for failing to establish a *prima facie* basis of obviousness, and should be withdrawn.

*In re Rijckaert*, 28 USPQ2d 1955 (CAFC 1993) states:

"A *prima facie* case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art." *In re Bell*, 991 F.2d 781, 782, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993) (quoting *In re Rhinehart*, 531 F.2d 1048, 1051, 189 USPQ 143, 147 (CCPA 1976). If the examiner fails to establish a *prima facie* case, the rejection is improper and will be overturned. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988).

Claim 1 also requires that *said identification information comprising a plurality of proper identification bits and a corresponding plurality of auxiliary bits*.

We note that the Examiner identifies, in the rejection, 2 bits that he/she deems to make up the claimed *proper identification bits* and 14 bits that he/she deems to make up the claimed *auxiliary bits*. clearly 2 bits does not correspond, in number (plurality), to 14 bits.

Therefore, the rejection is deemed to be in error for failing to establish a *prima facie* basis of obviousness, and should be withdrawn.

Note that Cooper fails to teach the features noted above as lacking in the teachings of Tsugane.

The gist of Cooper is similar to Kim, in that Cooper teaches inserting a camera number code into selected video signals which corresponds to selected video cameras, and sends the selected video having the camera number code to a single video recorder. It is the camera number code that a video playback unit uses to discern which camera 301, 302, 303, or 304 generated a current frame or field of video.

The Examiner offers a basis of obviousness by holding that one of ordinary skill in the art would have incorporated the teachings of Cooper into Tsugane "for recording the identification code of the camera so that a user would be easily to recognize image from the identified camera. Doing so would allow the user to view the image and know which of the cameras are active."

Tsugane does not teach, nor desire, recording video in a single video recorder. Instead, Tsugane utilizes a plurality of frame memories, and each frame memory is connected to a respective one of the TV monitors. Tsugane also teaches that each TV monitor displays an image of a particular predesignated camera. Tsugane does not teach storing either a camera ID code not a TV



monitor ID code.

Accordingly, since a user/viewer of the monitors in the CCTV system already knows which camera is displaying an image on a particular TV monitor, and since there is no image signal displayed on a TV monitor unless the corresponding camera is active, then there is no need for one of ordinary skill in the art to modify Tsugane to "allow the user to view the image and know which of the cameras are active."

That a prior art device could be modified to produce the claimed device does not justify an obviousness rejection unless the prior art suggested the modification's desirability. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Accordingly, without a showing that there is a problem with Tsugane's device, used as intended by Tsugane, then there is no showing of a need to modify Tsugane's device in view of the teaching of Cooper. Additionally, without a showing that there Tsugane's device could have been improved to operate as intended by Tsugane, then there is no showing of a desire to modify Tsugane's device in view of the teaching of Cooper.

Therefore, the rejection of claim 1 is deemed to be in error for the above stated reasons, and should be withdrawn.

### **Claim 3**

Claim 3 requires that the CCTV system as set forth in claim 1, utilize a picture signal storage medium comprising *a single video tape in a single video recorder*.

As noted above, Tsugane does not teach, nor desire, recording video in a single video

recorder. Instead, Tsugane utilizes a plurality of frame memories, and each frame memory is connected to a respective one of the TV monitors.

Even though Cooper discloses the use of a video recorder, Cooper does not teach the use of a video *tape* recorder.

Additionally, one must consider the teaching of all the art available, including Kim (US 6,912,351 of record), and Kim's teaching away from the use of a video *tape* recorder.

This teaching away from the invention is an important indication of non-obviousness. *See, e.g. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc. Inc., supra.*

Accordingly, the rejection of claim 3 is deemed to be in error and should be withdrawn.

#### **Claim 5**

Claim 5 calls for *a monitor for displaying picture signals reproduced by said picture signal storage medium; and a selection unit for enabling a user to select picture signals corresponding to a particular one of said cameras for display on said monitor by inputting the identification information corresponding to said particular one of said cameras.*

Tsugane discloses the use of one monitor per camera, and in particular the use of 4 cameras and 4 monitors, each monitor displaying an image of a corresponding one of the cameras, no monitor having the ability to display images from more than one camera.

Although Cooper may teach using a single monitor and 4 cameras, Cooper also teaches a need to record identification codes of each camera so that a user/viewer of the monitor can playback a recorded image generated by a particular camera. In so doing, Cooper teaches the need for a

number of components to be able to perform this function, and these components are not available in Tsugane.

Tsugane does not teach a desire or need to use a single monitor. In fact, use of a single monitor in Tsugane would defeat the intended use of Tsugane invention, that use being in a video conferencing system. In col. 1, lines 5-15, Tsugane identifies problems with using a single monitor and therefore teaches away from using a single monitor in such a conferencing system.

This teaching away from the invention is an important indication of non-obviousness. *See, e.g. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc. Inc., supra.*

Additionally, in such a conferencing system as disclosed by Tsugane, there is no need a *selection unit for enabling a user to select picture signals corresponding to a particular one of said cameras for display on said monitor*, because all the picture signals are displayed on respective monitors.

Accordingly, the rejection of claim 5 is deemed to be in error and should be withdrawn.

#### **Claims 7 and 12**

Claim 7, depending from claim 1, requires that *the logical values of said auxiliary bits be opposite to the logical values of said proper identification bits.*

Claim 12, depending from claim 1, requires that *the logical values of said auxiliary bits be identical to the logical values of said proper identification bits.*

As disclosed in paragraph [0022] of the specification, the ID information illustrated in Fig. 2, shows that the bits represented with lightface are bits for proper ID information, and the bits

represented with boldface are auxiliary bits. The proper ID bits are information specific to each of the cameras to identify them, whereas the auxiliary bits are opposite to (made by reversing) the proper ID bits. However, the auxiliary bits may be constructed identically to the proper ID bits. The ID information is made by combination of the proper ID bits and the auxiliary bits.

The Examiner's rejection states, without merit, that Tsugane teaches the logical values of said auxiliary bits (DV (J=14)) are opposite (identical) to the logical values of said proper identification bits (IDM=2 bits). Note that it is unclear how the logical values of a code having only 2 bits can be reversed (opposite logical value), or identical, to form a code having 14 bits. The Examiner has failed to identify where Tsugane teaches the foregoing feature. Note, *Ex parte Levy*, 17 USPQ2d 1461, 1462 (1990) states:

"it is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference."

Accordingly, the rejections of claims 7 and 12 are deemed to be in error and should be withdrawn.

**D. Claims 10 and 15 were rejected under 35 U.S.C. §103(a), as rendered obvious and unpatentable, over Tsugane et al. (US 4,961,211) in view of Cooper et al. (US 5,870,139) in view of Applicant's Admitted Prior Art.** The Applicant respectfully traverses this rejection for the following reason(s).


Claims 10 and 15 depend from claims 7 and 12, respectively, and are deemed to be

patentable over Kim for the same reason's as claims 7 and 12.

The Examiner is respectfully requested to reconsider the application, withdraw the objections and/or rejections and pass the application to issue in view of the above amendments and/or remarks.

Should a Petition for extension of time be required with the filing of this Amendment, the Commissioner is kindly requested to treat this paragraph as such a request and is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of the incurred fee if, **and only if**, a petition for extension of time be required **and** a check of the requisite amount is not enclosed.

Respectfully submitted,

  
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